

No 1 Document

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MANAGEMENT COMMITTEE. (4.7.67)
NON-EUROPEAN AFFAIRS COMMITTEE. (29.6.67)

NON-EUROPEAN AFFAIRS DEPARTMENT.

PROPOSED URBAN BANTU COUNCIL.

(a) Establishment.

On the 25th October 1964 (Minutes page 2410) the Council resolved that the Minister of Bantu Administration and Development be requested to agree in principle to the establishment by the Council of one Urban Bantu Council for all the Bantu Townships and Hostels under the jurisdiction of the Council.

On the 14th April 1965 the Minister approved in principle the establishment of such a Bantu Council provided the voters' roll was compiled on an ethnic basis.

At a meeting of the Non-European Affairs Committee with the Joint Bantu Advisory Boards on the 24th November 1965, the Boards expressed the view that the Bantu Council should be established on a geographical and not an ethnic basis, as Advisory Board representation had been on this basis for many years.

Discussions on several occasions between officials of the Council and the Department of Bantu Administration and Development sought to resolve disagreement on the question of geographical or ethnic representation and in August 1966 the Minister decided that the Urban Bantu Council for Johannesburg should be established on a national unit basis, i.e. ethnic. This aspect has been discussed informally with senior members of the Joint Boards and the indications are that Boards may now accept the national unit idea. The draft regulations, which will, if adopted and promulgated, establish the principle of national units will, of course, be referred to all Boards formally for consideration in terms of the Bantu (Urban Areas) Consolidation Act, 1945. These are based on a model prepared by the Department of Bantu Administration and Development and deal with the election and re-election of members of the Urban Bantu Council and ancillary matters. Copies of these will be tabled as it has not been possible to prepare them in time because of the difficulties involved in recasting the model regulations to fit the Johannesburg circumstances.

There are ten Advisory Boards under the Council's jurisdiction, one at Eastern Bantu Township and the other nine in Soweto.

For administrative purposes Soweto is divided into superintendencies of between 2/3,000 residential sites. If this overall division can be maintained, commensurate with ethnic grouping, (shown on the plan laid on the table) it could represent the Bantu Council ward boundaries, depending on the geographical layout

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of the area. This would enable Bantu Council representatives to understand more clearly their administrative divisions and would afford a close link between the Council's administration and the people. In addition to the "Family Representation", the hostels should also have representation on the Bantu Council.

Section 3 of the Urban Bantu Council, Act, 1961 provides that an Urban Bantu Council shall consist of so many elected and selected Bantu, in all not being less than 6, as the urban local authority may determine; provided that the number of selected members shall not exceed the number of elected members.

In terms of the Government's model regulations there could be one selected member for each of the eight national units referred to in Section 2 c the Promotion of Bantu Self-Government Act, 1959, viz:

- (a) The North-Sotho unit;
- (b) the South-Sotho unit;
- (c) the Swazi unit;
- (d) the Tsonga unit;
- (e) the Tswana unit;
- (f) the Venda unit;
- (g) the Xhosa unit;
- (h) the Zulu unit.

The draft regulations provide the machinery for the appointment of selected members which is similar to an electoral college of chief's representatives. The Manager, Non-European Affairs Department, is normally consulted before Johannesburg's urban representatives are appointed and the Bantu Affairs Commissioner has intimated verbally that this policy will continue.

(b) Ward Boundaries.

The Council's Bantu residential areas, including hostels, are shown on the plan laid on the table and are divided into 10 wards - 9 in Soweto and 1 for Eastern Bantu Township and the urban hostels. This division, with national unit voters' rolls for each ward, complies with the Minister's directive. With a proportionate representation based on one Councillor for approximately 2,000 voters, the total elected members would be 41. On the basis of the number of the various national unit voters the selected members would be 17, constituting a total Council of 58. The existing Advisory Boards consist of 40 elected and 20 nominated members, a total of 60 members.

:- The ...

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The schedule attached to this report, marked Annexure 'A', gives details of the proposed wards; the number of persons (heads of families or hostel residents) of each national unit entitled to vote in each ward, the total number of persons of each national unit in the whole area, and the number of elected and selected members for each national unit. From this it will be observed that for the minority groups in certain areas Councillors will have to represent people in their ethnic group who live in more than one ward.

To obviate the duplication of votes as well as to facilitate voting, it is proposed to divide some wards into polling districts with persons registered in each district having to vote at polling stations established at the offices of the Superintendents concerned. A Returning Officer will have to be appointed for the whole of Soweto, Eastern Bantu Township and the urban hostels.

(c) Powers, Duties and Functions.

Section 4(1) of the Urban Bantu Councils Act, 1961 provides that a Bantu Council shall exercise the powers and perform the functions and duties of existing Advisory Boards which are as follows:

"..... consider and report upon -

- (i) any regulation which the urban local authority proposes to make
- (ii) any matter referred to it by the urban local authority or ... by the Minister.
- (iii) any matter specially affecting the interest of Bantu in the urban area, upon which the Board may consider it useful or desirable to report.

... may also recommend the making or adoption of any regulation which it considers necessary or desirable in the interest of the Bantu in the urban area.

The appropriation of monies from the Bantu Revenue Account shall not take place otherwise in accordance with estimates of expenditure provided that before such estimates are passed they shall be referred to its Bantu Advisory Board or Boards "

:- Section ...

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Section 4 (2) of the Act provides that an Urban Bantu Council shall also:-

- "(a) in respect of the area for which it has been established, exercise such powers and perform such functions and duties of an urban local authority in respect of one or more of the following matters in connection with Bantu as the urban local authority may after consultation with the Administrator assign to such Council, with the concurrence of and subject to such conditions as may be determined by the Minister:-
- (i) the layout of the area;
 - (ii) the accommodation of Bantu not living under conditions of family life;
 - (iii) the removal of persons unlawfully resident in the area;
 - (iv) the unlawful occupation of land and buildings;
 - (v) the management and control of the area (including the determination of the order of priority to be observed in the allocation of residential facilities) and the maintenance of good order therein;
 - (vi) the erection and use of dwellings, buildings and other structures, and the removal or destruction of unauthorized or abandoned buildings or structures;
 - (vii) the allotment of sites for church or school purposes;
 - (viii) the prohibition, regulation or restriction of the keeping of animals, and the grazing on any commonage of stock belonging to persons living in the area;
 - (ix) the prohibition or the regulation of entry into or sojourn in the area;
 - (x) the provision of sanitary, health and medical services;
 - (xi) the moral and social welfare of persons living in the area."

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It is proposed that, initially, the Bantu Council exercise only the powers, duties and functions presently assigned to the Advisory Boards and that further functions be conferred on the Urban Bantu Council, later in terms of Section 4(b) of the Urban Bantu Councils Act, when it can be determined in the light of experience what functions can be carried out conveniently and effectively.

(d) Allowance.

Regulation 28(1) of the proposed regulations provides for payment of allowances, as determined by the local authority, to members of the Bantu Council. The following monthly allowances should be paid:

Chairman of the Council	R50-00
Deputy Chairman of the Council	R40-00
Ordinary Members	R25-00
Advisory Board members are at present paid R13-00 per month.	

(e) Secretariat.

A secretariat will be necessary, provision for which will be included in the 1967/68 Estimates. A report on the establishment will be submitted in due course.

(f) Financial Implications.

Total annual expenditure, apart from capital redemption and interest charges on the Urban Bantu Council Chamber now being built at the Jabulani Civic Centre at a cost of R194,000, should not exceed R35,000; but there could be initial further expenditure on furniture and Councillor's gowns amounting to R6,500-00.

However, the present annual expenditure of R11,000 in respect of Advisory Boards will fall away.

Senior officials of the Department of Bantu Administration and Development have signified their support of these proposals.

IT IS RECOMMENDED:

(a) That an Urban Bantu Council be established for Johannesburg on the basis outlined in this section of the report,

:- (b) ...

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(b) That the draft regulations to be tabled be adopted and be referred to all the Bantu Advisory Boards for consideration in terms of Section 21(3) of the Bantu (Urban Areas) Consolidation Act, 1945, as amended, and the Boards be asked to submit their reports on the regulations within 30 days.

(c) That the Manager report on the staff positions required for the Urban Bantu Council to operate efficiently and be authorized to make all other arrangements for the first election, establishment and operation of the Urban Bantu Council.

(In terms of Section 38(3) of the Bantu (Urban Areas) Consolidation Act, 1945, as amended, notice must be given of the Committee's intention to move at the next ordinary or a subsequent meeting of the Council, the adoption of recommendation (b)).

(286/107)
(N.E.A.D. 146/67)

Name of Township	Tsonga	Venda	North Sotho	South Sotho	Tswana	Swazi	Xhosa	Zulu	Total	Grand Total
<u>Ward No. 1.</u>										
Orlando East No. 1	126	29	186	366	411	275	495	901	2,789	11,019
Orlando East No. 2	86	34	122	646	302	47	463	1,026	2,726	
Orlando West No. 1	61	28	106	473	221	104	290	927	2,210	
Orlando West No. 2	103	47	153	423	336	158	179	726	2,125	
Pimville	16	12	60	273	121	73	302	312	1,169	
	392	150	627	2,181	1,391	657	1,729	3,892	11,019	
<u>Ward No. 2.</u>										
Dube Hostel	703	407	462	73	358	115	262	2,729	5,109	5,109
<u>Ward No. 3.</u>										
Orlando West Ext.	57	17	60	128	134	151	134	278	959	9,565
Dube Village	63	36	182	324	292	220	196	576	1,889	
Mofolo Central	68	40	158	500	229	56	48	183	1,282	
Mofolo South	18	1	1	7	1	147	170	540	885	
Mofolo Central	52	13	13	14	2	140	200	615	1,049	
Mofolo North	6	2	-	1	-	106	216	439	770	
Central Western										
Jabavu (Nguni)	6	-	-	1	2	37	62	220	328	
Mofolo North	5	3	-	7	2	76	212	525	830	
Zondi	10	5	3	11	4	190	374	976	1,573	
	285	117	417	993	666	1,123	1,612	4,352	9,565	

URBAN BANTU COUNCIL -
FIGURES FOR NATIONAL UNITS AND PROPOSED WARD SYSTEM.

ANNEXURE A

Name of Township	Tsonga	Venda	North Sotho	South Sotho	Tswana	Swazi	Xhosa	Zulu	Total	Grand Total
<u>Ward No. 4.</u>										
Jabulani Hostel	370	187	484	720	596	151	323	1,392	4,223	4,223
<u>Ward No. 5.</u>										
Jabulani South	-	6	-	3	-	138	183	671	1,001	
Jabulani North	-	-	-	-	-	53	134	814	1,001	
Zola South West	5	2	-	5	-	155	195	707	1,069	
Zola North West	12	5	-	-	2	154	329	1,290	1,792	
Zola South East	-	5	-	1	1	141	199	853	1,200	
Zola North East	-	-	1	-	-	63	270	1,030	1,364	
Emdeni South No. 2	4	1	21	31	57	6	10	51	181	
Emdeni South No. 1	39	14	19	65	271	73	170	597	1,248	
Emdeni North	2	1	-	3	2	99	183	457	747	
	62	34	41	108	333	882	1,673	6,470	9,603	9,603
<u>Ward No. 6.</u>										
Moletsani South	-	4	136	359	341	-	-	19	859	
Tladi South	-	4	158	287	431	-	-	13	893	
Naledi South East	-	-	64	145	295	-	-	4	508	
Moletsani North	-	2	282	353	188	4	1	16	846	
Tladi North	1	2	287	274	201	4	2	10	781	
Naledi North East	4	2	154	239	249	1	-	6	655	
Naledi West	26	9	259	653	772	10	24	108	1,861	
Molapo	2	5	203	820	407	11	9	15	1,472	
Central Western										
Jabavu	4	-	144	679	254	9	13	15	1,118	
	37	28	1,687	3,809	3,138	39	49	206	8,993	8,993

Name of Township	Tsonga	Venda	North Sotho	South Sotho	Tswana	Swazi	Xhosa	Zulu	Total	Grand Total
<u>Ward No. 7.</u>										
Mapetla Extension	2	3	209	501	227	3	1	8	954	
Senaoane	24	7	6	11	9	221	324	923	1,525	
Phiri (Nguni)	7	1	11	37	6	86	240	576	964	
Phiri (Sotho)	23	9	122	683	213	-	30	109	1,189	
Mapetla	2	-	258	896	328	-	6	37	1,527	
Chiawelo	1,996	1,521	26	56	56	4	2	20	3,681	
	2,054	1,541	632	2,184	839	314	603	1,673	9,840	9,840
<u>Ward No. 8.</u>										
Jabavu	309	241	367	1,190	513	277	691	1,512	5,100	
Moroka	31	2	156	381	690	122	315	620	2,317	
Moroka North	2	2	87	257	109	2	5	10	474	
Dhlamini	-	-	5	7	12	409	321	680	1,434	
	342	245	615	1,835	1,324	810	1,332	2,822	9,325	9,325
<u>Ward No. 9.</u>										
Nancefield Hostel	473	226	631	635	269	101	273	1,769	4,377	4,377

Name of Township	Tsonga	Venda	North Sotho	South Sotho	Tswana	Swazi	Xhosa	Zulu	Total	Grand Total
<u>Ward No. 10.</u>										
Eastern Bantu Township	17	1	80	121	38	37	174	135	603	
George Goch Men's Hostel	210	163	545	60	423	49	337	1,252	2,939	
Memmer Hostel	151	76	72	326	61	80	119	1,962	2,747	
Wolhuter Men's Hostel	434	92	607	79	405	141	91	1,274	3,123	
Denver Men's Hostel	318	140	581	111	404	102	223	1,425	3,304	
Wolhuter Women's Hostel	-	-	9	11	12	9	27	49	117	
	1,130	472	1,894	608	1,343	418	871	6,097	12,833	12,833
										<u>84,887</u>

ELECTED MEMBERS.ZULU.

2 Representatives for Ward No. 1	= 2
1 Representative for Ward No. 2	= 1
2 Representatives for Ward No. 3	= 2
1 Representative for Ward No. 4	= 1
3 Representatives for Ward No. 5	= 3
1 Representative for Ward No. 6 & 7	= 1
1 Representative for Ward No. 8	= 1
1 Representative for Ward No. 9	= 1
3 Representatives for Ward No. 10	= 3
TOTAL	<u>15</u>

XHOSA

1 Representative for Ward No. 1-2	= 1
1 Representative for Ward No. 3-4	= 1
1 Representative for Ward No. 5-6-7	= 1
1 Representative for Ward No. 8-9-10	= 1
TOTAL	<u>4</u>

NORTH SOTHO.

1 Representative for Ward 1-2-3-4-5	= 1
1 Representative for Ward 6	= 1
1 Representative for Ward 7-8-9	= 1
1 Representative for Ward 10	= 1
TOTAL	<u>4</u>

TSONGA.

1 Representative for Ward 1-2-3-4-5-6	= 1
1 Representative for Ward 7	= 1
1 Representative for 8-9-10	= 1
TOTAL	<u>3</u>

VENDA.

1 Representative for Ward 7	= 1
1 Representative for Ward 1-10 Exc.7	= 1
TOTAL	<u>2</u>

SWAZI.

1 Representative for Ward 1-2-3-4	= 1
1 Representative for Ward 5-6-7-8-9-10	= 1
TOTAL	<u>2</u>

TSWANA.

1 Representative for Ward 1-2-3	= 1
2 Representatives for Ward 4-5-6	= 2
1 Representative for Ward 7-8	= 1
1 Representative for Ward 9-10	= 1
TOTAL	<u>5</u>

SOUTH SOTHO.

1 Representative for Ward 1	= 1
1 Representative for Ward 2-3-4-5	= 1
2 Representatives for Ward 6	= 2
1 Representative for Ward 7	= 1
1 Representative for Ward 8-9-10	= 1
TOTAL	<u>6</u>

OVERALL TOTAL OF VOTERS RELATED TO ELECTED AND SELECTED MEMBERS.

Group	Number of Voters	Ethnic Group	Elected Members	Selected Members	Total
Zulu	31,402	N	15)	6)	21
Xhosa	8,727	N	4)	2)	6
Swazi	4,610	N	2)	1)	3
North Sotho	7,490	S	4)	2)	6
South Sotho	13,146	S	6)	2)	8
Tswana	10,257	S	5)	2)	7
Venda	3,407	O	2)	1)	3
Tsonga	5,848	C	3)	1)	4
	84,887		41	17	58

EC/EG
27th June 1967.



City of Johannesburg



With the
Compliments
of the
Clerk of the Council

Referred to in
2nd cond item,

page 4 of

REGULATIONS RELATING TO THE ESTABLISHMENT
AND CONSTITUTION OF THE URBAN BANTU
COUNCIL OF JOHANNESBURG.

Supplementary
Report No 1

1. In these regulations, unless the context otherwise indicates, any expression to which a meaning has been assigned in the Bantu (Urban Areas) Consolidation Act, 1945 (hereinafter referred to as the principal Act), or the Urban Bantu Councils Act, 1961, bears the meaning so assigned thereto, and -

Non-European
Affairs Catter
meeting
on
29/6/67.

- (i) "Bantu Affairs Commissioner"
means the Bantu Affairs
Commissioner for the district
of Johannesburg.
- (ii) "Bantu Council" means the
urban Bantu Council established
for the urban Bantu residential
areas in terms of section two
of the Urban Bantu Councils
Act, 1961.
- (iii) "Manager" means the officer
appointed and licensed in terms
of sub-section (1) of section
twenty-two of the principal Act
for the management of the urban
local authority's department of
Bantu administration and shall
include a Deputy and an Assistant
to such officer.

:- (iv) ...

(iv) "national units" means the following units referred to in sub-section (1) of section two of the Promotion of Bantu Self-Government Act, 1959 which are:

- (a) the North-Sotho unit;
- (b) the South-Sotho unit;
- (c) the Swazi unit;
- (d) the Tsonga unit;
- (e) the Tswana unit;
- (f) the Venda unit;
- (g) the Xhosa unit; and
- (h) the Zulu unit.

(v) "Registered occupier" means any person to whom a certificate of title, or a residential or a hostel permit has been issued in accordance with the regulations promulgated for the management and control of the urban Bantu residential areas, and who has attained the age of eighteen years, and any person who occupies, with the permission of the Superintendent, any approved dwelling on any church or school or institutional site.

- (vi) "Returning Officer" means the person appointed as such by the urban local authority with the approval of the Minister, or of a State official delegated thereto by the Minister, if the Minister wishes to exercise such control over the said appointment.
- (vii) "Secretary of the Bantu Council" means the Bantu official appointed by the urban local authority in consultation with the Bantu Council for the purpose of undertaking secretarial and clerical duties of the Bantu Council and shall include any person acting in that capacity during the absence of the Secretary.
- (viii) "Superintendent" means any officer, including the authorized assistants of such officer, who may from time to time be appointed by the urban local authority to supervise or control any portion of the urban Bantu residential areas.

- (ix) "urban area" means the urban area of Johannesburg.
- (x) "urban Bantu residential areas" means the urban Bantu residential areas under the jurisdiction of the urban local authority.
- (xi) "urban local authority" means the City Council of Johannesburg: Provided that the said City Council may delegate any of its functions, duties or powers under these regulations to its Management Committee.
- (xii) "Voter" means a person who is qualified and enrolled in terms of these regulations to vote for elected members of the Bantu Council.

ESTABLISHMENT AND CONSTITUTION OF BANTU
COUNCIL.

2. There shall be and is established for the Bantu belonging to the national units resident in the urban Bantu residential areas an urban Bantu council to be known as the Urban Bantu Council of Johannesburg, hereinafter referred to as the "Bantu Council" and constituted as hereinafter provided.

:- MEMBERS ...

MEMBERS OF BANTU COUNCIL.

3. The Bantu Council shall consist of:

(i) forty-one elected members representing national units and apportioned as follows for each national unit:

(a) four elected by the voters of the North-Sotho national unit;

(b) six elected by the voters of the South-Sotho national unit;

(c) two elected by the voters of the Swazi national unit;

(d) three elected by the voters of the Tsonga national unit;

(e) five elected by the voters of the Tswana national unit;

(f) two elected by the voters of the Venda national unit;

(g) four elected by the voters of the Xhosa national unit;

:- (h) ...

(h) fifteen elected by the voters of the Zulu national unit;

and

(ii) seventeen selected members selected from urban representatives whose names appear on the list referred to in regulation 19, and consisting of-

(a) two representing the North-Sotho national unit;

(b) two representing the South-Sotho national unit;

(c) one representing the Swazi national unit;

(d) one representing the Tsonga national unit;

(e) two representing the Tswana national unit;

(f) one representing the Venda national unit;

(g) two representing the Xhosa national unit;

(h) six representing the Zulu national unit.

WARDS AND POLLING DISTRICTS.

4. (1) The urban local authority shall -

(a) divide the urban Bantu residential areas into wards and shall assign a number to each ward and may divide any ward into two or more polling districts, assigning a number to each polling district;

(b) determine what ward's or wards' voters of a particular national unit each elected member shall represent: Provided always that more than one elected member, and elected members representing the same or different national units, may be allocated to the same ward.

(2) When acting in terms of sub-regulation (1), the urban local authority may regard the urban Bantu residential areas as one area and need not take the boundaries of any individual area into account in fixing ward boundaries and may further take relevant administrative factors into account including existing administrative

and may effect a division into wards which vary substantially in area and/or in number of voters, and has regard to -

- (i) affording reasonable and practical representation on the Bantu Council to each national unit; and
- (ii) representation and voting related to area of residence and existing administrative divisions; and
- (iii) facilitating voting and rendering an election practicable.

(3) No voter shall be entitled to vote at a polling station other than at the polling station for the ward in which he is registered as a voter, and where a ward has been divided into polling districts, no voter shall be entitled to vote at a polling station other than at the polling station for the polling district in which he is resident according to the voters' list compiled in terms of regulation 24.

(4) The urban local authority may -

- (i) increase or decrease the number of wards;

:- (ii) ...

- (ii) alter the boundaries of existing wards: Provided that such alteration shall take effect only at the next ensuing general election.

DISQUALIFICATION OF ELECTED MEMBERS.

5. No person shall be eligible for election to the Bantu Council who -

- (a) is not lawfully resident in the urban Bantu residential areas;
- (b) being a voter is in arrears with any charge, fees or other dues payable by him to the urban local authority or Bantu Council on the day when nominations close;
- (c) has, within the period of five years immediately preceding the date of his nomination for election, been convicted of any offence in respect of which he has been sentenced to imprisonment without the option of a fine for a period of more than one month, or with the option of a fine for a period of more than six months;

:- (d) ...

- (d) is subject to an order of court declaring him to be of unsound mind or mentally disordered or defective under the Mental Disorders Act, 1916;
- (e) holds an office or place of profit under or in the gift of the urban local authority as an employee;
- (f) is prohibited in terms of sub-section (3) of section two of the Riotous Assemblies Act, 1956 from attending gatherings, and whose name appears under particulars of notices published in the Gazette in terms of paragraph (b) of sub-section (3) bis of section two of the said Act;
- (g) is prohibited in terms of paragraph (e) of sub-section 1 of section five or sub-section (1) of section nine of the Suppression of Communism Act, 1950 from attending gatherings and whose name appears under particulars of notices published in the Gazette in terms of section ten ter of the said Act; or
- (h) is a person whose name appears on a list compiled in terms of the provisions of sub-section (10) of section four of the Suppression of Communism Act, 1950 and published in the Gazette in terms of sub-section (4) of section eight of the said Act.

- (i) was not born in the Republic of South Africa or South West Africa.

NOMINATION FOR ELECTION.

6. The Returning Officer shall not later than three months from the date of promulgation of these regulations and thereafter not later than the first day of August of each year in which a general election is to be held, call, in both official languages in a newspaper which generally circulates in the urban area and by means of notices displayed at each Superintendent's office, for the nomination of candidates for the election of members of the Bantu Council for the period laid down by ~~sub-regulation (1) of~~ regulation 18 and regulation 26.

7. (1) The notice referred to in regulation 6 shall specify the place at which and the date and time before which nomination shall be received by the Returning Officer. Such date shall not be earlier than fourteen ^{twenty-one} days after, and not later than ~~XIX~~ days after, the date of issue of the notice calling for nominations.

(2) Nominations of candidates for election as members of the Bantu Council shall be submitted in writing to the Returning Officer in the form prescribed in Annexure A, which shall be supplied by the Superintendent, and shall be supported by the signatures of not

less than ten persons who are members of the national unit and registered as voters in the ward or wards for which the nomination is made and who are not in arrear to the urban local authority in respect of rent or other charges on the date referred to in sub-regulation (1).

(3) No person in respect of whom a nomination form has been submitted to the Returning Officer in terms of sub-regulation (2) shall be deemed to be duly nominated unless he qualifies to stand for election in terms of these regulations and has deposited with the Returning Officer the sum of R10-00 on or before the date and time referred to in sub-regulation (1).

(4) Should any candidate receive less than one fifth of the number of votes cast for a single opponent or less than one fifth of the number of votes cast for his successful opponent who received the lowest number of votes, he shall forfeit the sum deposited in terms of sub-regulation (3) and the money thus deposited shall be paid to the Bantu Revenue Account; otherwise it shall be returned to the candidate after the result of the poll is known.

(5) The Returning Officer shall as soon as practicable, and not later than fourteen after the date for the receipt of nominations, affix on the notice board at the office of the Superintendent a notice containing a list of the candidates duly nominated in terms of these regulations and shall also declare those candidates who have been returned unopposed to be elected members for their respective national units and wards.

(6) If the number of valid nominations received for a vacancy or a combination of vacancies is less than the number of vacancies the Returning Officer shall immediately after the closing date of the nominations call again for nominations for such vacancies in the manner prescribed in regulation 6 and shall in due course hold a by-election to fill the vacancies.

PROVISION OF EQUIPMENT AND APPOINTMENT OF OFFICERS.

8. For all elections the Returning Officer shall arrange for compartments, ballot boxes, ballot papers, instruments for marking ballot papers with the official mark and shall appoint such polling officers and assistants and do such other acts and make such arrangements to facilitate the taking of the poll as may be deemed advisable for effectually

:- conducting ...

conducting the election. The equipment shall be supplied by and all expenditure in this connection shall be to the account of the urban local authority.

DECLARATION OF SECRECY.

9. The Returning Officer and polling officers and their assistants shall make, before the opening of the poll, a declaration of secrecy under oath, in the case of the Returning Officer before a justice of the peace or commissioner of oaths, and in the case of a polling officer and his assistants before the Returning Officer.

POLLING DAY.

10. The notice issued under sub-regulation (5) of regulation 7 shall also stipulate the places at which, the date, other than a Sunday, Good Friday, Ascension Day, Christmas Day or the day of the Covenant on which, and the hours during which the polling shall be held. The hours of polling shall be not less than 8 hours between the hours of 8 a.m. and 6 p.m. and shall be fixed by the Returning Officer with due regard to the convenience of the majority of the voters.

11. The voting at all elections held under the provisions of these regulations shall be by secret ballot and shall take place as follows:

(a) The polling officer or his assistants at the polling station in respect of each ward or wards, or polling district, if a ward is divided into polling districts shall ascertain that the person claiming a right to vote is a voter enrolled upon the voters' list for the national unit for that ward or wards or polling district and having ascertained that such person is so enrolled and that his name and identity number appear on such list, shall enter his identity number on the identity card issued to him in terms of the Population Registration Act, 1950 upon the counterfoil in the ballot paper book and shall then tear out the ballot paper

:- corresponding ...

corresponding to such counterfoil and having stamped the same with a secret mark determined by the Returning Officer shall hand it to the voter.

(b) When the voter has received such ballot paper on which shall be printed in alphabetical order the names of all the duly nominated candidates for whom he is entitled to vote by virtue of his national unit and ward, he shall take it to the compartment provided for that purpose and signify for whom he desires to vote by secretly placing a cross opposite the name of the candidate or candidates as the case may be for whom he wishes to vote. He shall then fold the ballot paper so that the secret stamp may be visible and having held up the ballot paper so that the polling officer or his assistant can recognise the mark shall drop the ballot paper in the ballot box placed in front of the polling officer or his assistant.



(c) Should the voter cast his vote for more candidates than there are vacancies or sign his name on the ballot paper or make any mark or write any word by which he can become identified, his ballot paper shall be considered spoilt and not taken into account at the counting of the votes.

(d) Any person who attempts to vote on behalf of any other person shall be guilty of an offence.

SPOILT BALLOT PAPERS AND RECORD OF BALLOT PAPERS.

12. (1) If a voter inadvertently spoils a ballot paper he may return it to the polling officer or his assistant who if he is satisfied of such inadvertence shall give him another ballot paper and retain the spoilt ballot paper which he shall immediately cancel and endorse with the words "returned under regulation 12" and the fact of such cancellation shall be noted upon the counterfoil.

:- (2) ...

(2) Such spoilt ballot paper shall be retained by the polling officer who shall as soon as the poll is closed compile a record of the number of ballot papers issued, the number of spoil ballot papers and the number of ballot papers found in the ballot boxes at the close of the poll.

RECORDING OF VOTES.

13. The polling officer on the application of any voter shall in the presence of such voter mark the vote of such voter on the ballot paper issued to him in a manner directed by such voter and place the ballot paper in the ballot box in the presence of the voter.

IDENTIFICATION OF VOTERS.

14. No voter who, on the day of polling, does not produce his reference book or identity card at the polling station to identify himself, shall be permitted to vote.

POLLING STATION.

15. (1) No person other than the Returning Officer, polling officers and their assistants, candidates and one scrutineer appointed by every candidate and approved by the Returning Officer and the persons recording their votes shall be admitted into the polling station.

(2) The Returning Officer or a polling officer may require any person including a candidate or scrutineer, to leave the polling station and any person who fails to leave the polling station when so required, shall be guilty of an offence, and the Returning Officer or a polling officer may cause such person to be removed forthwith from the polling station.

RESULT OF ELECTION.

16 (1) As soon after the closing of the poll as practicable and after the record in terms of sub-regulation (2) of regulation 12 has been compiled, the polling officer and his assistants shall count the votes recorded for each candidate and the Returning Officer shall declare the candidates equal in number to the number of vacancies to be filled in the particular ward or wards who have received the greatest number of votes for their respective ward or wards to be duly elected as members representing the particular national unit for the ward or wards concerned.

(2) Only the Returning Officer, polling officer and his assistants, and the candidates may be present while the votes are being counted.

:- (3) ...

- (3) As soon as possible after the polling day the Returning Officer shall notify the Manager in writing of the result of the election indicating the number of votes polled in respect of each candidate.

DETERMINATION IN EVENT OF EQUAL NUMBER OF VOTES.

17. In the event of the number of votes being found to be equal for two or more candidates all of whom cannot be declared elected, the Returning Officer shall be lot determine the successful candidate or candidates.

GENERAL ELECTIONS.

18. The first general election of members for a Zantu Council shall take place on a date within three months after the promulgation of these regulations and the members so elected shall hold office, unless a members' seat is vacated earlier, until the 30th day of September of the third calendar year after the calendar year during which the first election was held.

:- REGISTER ...

REGISTER AND LIST OF URBAN REPRESENTATIVES.

19. As soon as the Bantu Commissioner records the information mentioned in regulation 4 of the regulations published under Government Notice No. 231 of 1962 and furnishes such information to the urban local authority and advises the urban local authority whether the Minister has approved of the candidature for selection as a member of the Bantu Council of every urban representative mentioned therein, the urban local authority shall decide whether it approves of the candidature for selection as a member of the Bantu Council of every urban representative concerned and if not, what urban representatives it rejects as candidates. The urban local authority shall forthwith convey its decision to the Bantu Affairs Commissioner for recording in the register of urban representatives which he is required to maintain in terms of regulation 4 of the regulations published under Government Notice No. R231 of 1962.

SELECTION OF SELECTED MEMBERS.

20. Selection of selected members shall take place as agreed by the Minister, the Bantu Affairs Commissioner and the urban local authority in the manner set out hereunder, but subject to such variation as the said parties may deem necessary:

:- 1(a) ...

(a) Within seven days from the date of promulgation of these regulations and on the last working day of June of the year in which a general election is thereafter to be held or within 7 days from the date on which a meeting in terms of paragraphs (b) is to be held, the Bantu Affairs Commissioner will compile a list on which all the information contained in his register of urban representatives is reflected. On the same day he will certify the list to be a true transcript of the information contained in his register of urban representatives, hand the original list to the Returning Officer, and post copies thereof on the notice boards at his and all Superintendents' offices.

(b) The Bantu Affairs Commissioner will convene separate meetings of the urban representatives of each of the national units which are to be represented on the Bantu Council in terms of (ii) of regulation 3 to enable them to select from amongst candidature for the particular national unit concerned and approved by the Minister and the local authority in terms of regulation 19 a member or members to represent

:- their ...

their national unit on the Bantu council.

- (c) The first meeting will be held not later than twenty-one days after the promulgation of these regulations and subsequent meetings not later than the last working day of July of the year in which a general election is to be held: Provided that where the maximum number of urban representatives in respect of any national unit as provided for by (ii) of regulation 3 have not been selected for any reason, meetings may be held at any time for the selection of one or more additional urban representatives in all not more than the number prescribed by (ii) of regulation 3 and the provisions herein prescribed will mutatis mutandis apply in respect of such selection and at such meeting.

- (d) The Bantu Affairs Commissioner will notify each urban representative of the national unit in respect of which a meeting is to be held by registered post of the time, date and place of the meeting.

:- (e) ...

- (e) Only urban representatives whose names appear on the list referred to in regulation 19 and who are members of the national unit in respect of which a representative is to be chosen, and such officials of the urban local authority as the Bantu Affairs Commissioner may require will be allowed to attend the meeting.
- (f) The Bantu Affairs Commissioner will preside at the meetings and after explaining the purpose thereof call on the urban representative present to nominate from amongst themselves candidates to fill the vacancies as prescribed by (ii) of regulation 3. Each nomination must be seconded.
- (g) If only the required number of candidates to fill the vacancies are nominated the Bantu Affairs Commissioner will declare the candidates to be duly selected. In the event of more than the required number being nominated in respect of the national unit concerned the Bantu Affairs Commissioner will forthwith conduct a ballot in the manner prescribed in paragraph (h).

:- (h) ...

- (h) (i) The Bantu Affairs Commissioner will call upon the urban representatives to vote by ballot and each representative shall be entitled to vote for only the number of candidates as there are vacancies to be filled.
- (ii) The required number of candidates who receive the largest number of votes shall be declared to be duly selected.
- (iii) If the exact number of selected members cannot be determined because of equality of votes cast for two or more candidates the matter will be determined by the Bantu Affairs Commissioner by the casting of lots in the presence of the representatives to determine which of the said candidates shall be selected to make up the full complement of members.
- (i) The Bantu Affairs Commissioner will as soon as possible after the meeting furnish the Manager in writing with the names of the selected candidates and with the names of urban representatives who attended the meeting.

TERM OF OFFICE OF SELECTED MEMBERS.

21. Every selected member shall hold office from the day given immediately after the day of the general election during the year in which he was selected, and shall subject to regulations 22 and 27 continue in office until the date immediately preceding the next general election, and shall be eligible for re-election.

VACANCIES.

22. (1) Any member of the Bantu Council may by notice given in writing under his hand and delivered to the Manager, resign his seat which shall thereupon become vacant.

(2) Any member shall cease to be a member of the Bantu Council if he:

(i) is sentenced, in respect of a conviction for any offence to imprisonment without the option of a fine for a period of more than one month, or with the option of a fine, for a period of more than six months;

:- (ii) ...

- (ii) being an elected member leaves or absents himself from the urban area without the permission of the Bantu Council, for a continuous period of more than two months;
 - (iii) fails, without the leave of the Bantu Council, to attend three consecutive monthly meetings of the Bantu Council; or withdraws from any meeting of the Bantu Council without the permission of the chairman;
 - (iv) is elected or selected as a member of the Bantu Council, whilst not being eligible for election or selection thereto in terms of the provisions of these regulations;
 - (v) becomes subject to the disqualifications prescribed in paragraphs (a) and (d) to (h) of regulation 5;
 - (vi) being a selected member ceases to be an urban representative in terms of Government Notice No. 231 of 1962:
- (3) If for any of the reasons set out in sub-regulation (2) of this regulation a member ceases to be a member, the Manager shall cause a written notice to be delivered to such member's last known place of residence advising him that he is no

longer a member of the Bantu Council.

- (4) Upon a casual vacancy for an elected member occurring in terms of sub-regulation (1) or (2) of this regulation or in any other manner the Manager shall forthwith call upon the Returning Officer to hold a by-election in terms of these regulations to fill the vacancy:
Provided that if the said vacancy occurs between the first day of April and the thirtieth day of September of the year in which a general election is to be held it shall not be necessary to hold a by-election.
- (5) Upon a casual vacancy for a selected member occurring in terms of sub-regulation (1) or (2) of this regulation or in any other manner, the Manager shall, forthwith request the Bantu Affairs Commissioner to fill the vacancy in the manner described in regulations 19 and 20.
- (6) Any member elected in pursuance of a by-election or selected in terms of sub-regulation (5) shall hold office only for the unexpired portion of the term of office of the member in whose place he has been elected or selected.

:- QUALIFICATION ...

QUALIFICATION OF VOTERS.

23 (1) Only persons who were born in the Republic of South Africa or in South West Africa, and who are registered occupiers within the Urban Bantu residential areas and whose names appear on the voters list in terms of regulation 24 shall be qualified to vote at any election of elected members of the Bantu Council.

(2) If it is proved to the satisfaction of the Manager at any time that such voter is subject to any of the disqualifications mentioned in paragraphs (f), (g), (h) and (i) of regulation 5 such voters name shall be removed from the voters' list forthwith.

VOTERS' LIST.

24. (1) Within one month from the date of publication of these regulations the Manager shall compile and maintain a list of persons who are qualified in terms of regulation 23 to vote at any election referred to in that regulation.

(2) In such list shall be reflected the identity number and name and address of the voter and the national unit of which he is a member, as well as the number of any ward in which he is a resident. Where a ward has been divided into polling districts, the number of the polling district

in which the voter is resident shall also be shown.

(3) For the purpose of any general election to be held, in terms of these regulations, only those voters who are registered occupiers up to and including the last working day of June of the year in which the election is to be held shall be entitled to vote in that election. Provided that in the case of a first general election only voters who are registered occupiers at the date of publication of these regulations shall be entitled to vote at such election.

(4) For the purpose of any by-election to be held in terms of these regulations the names of only those voters who are registered occupiers up to and including the day on which a vacancy for an elected member occurs, shall be entitled to vote in that by-election.

(5) Any voters' list compiled in terms of these regulations shall be available for inspection by the public at least one calendar month before the general election or by-election is due to take place.

:- (6)

(6) Any person whose name does not appear on the voters' list and who wishes to be enrolled as a voter shall apply to the Manager in writing for his name to be placed on the list for his national unit and pertaining to the ward in which he is a registered occupier, and if such person is qualified under these regulations to be enrolled as a voter the Manager shall cause his name to be placed on the list: Provided that no person shall be entitled to have his name placed on the list within three months prior to any election.

CHAIRMAN AND DEPUTY CHAIRMAN.

25. (1) A special meeting of the Bantu Council shall be held within fourteen days after the first general election held in terms of these regulations and annually thereafter during the first fourteen days of the month of October and at every such meeting the members present shall elect one of their number to be Chairman and one member to be deputy chairman who shall forthwith enter upon their offices and continue therein up to the date of the first special meeting held in October of the ensuing year.

:- (2) ...

(2) In the event of the offices of chairman or deputy chairman being vacated, otherwise than by the expiry of the period for which the incumbent was elected, a successor shall be elected by the members from amongst themselves at the ordinary monthly meeting after the vacancy has occurred.

(3) If both the chairman or deputy chairman for any reason fail to attend a meeting, the members present shall appoint anyone of their number to act as Chairman at that meeting.

TERM OF OFFICE OF ELECTED MEMBERS.

26. Subject to the provisions of regulations 18, 22 and 27 every elected member of the Bantu Council shall hold office for a period of three years and shall be eligible for re-election.

CONDITIONS OF SERVICE OF MEMBERS.

27. (1) No member of the Bantu Council shall in any way be concerned or interested in any bargain contract or arrangement whatsoever, with the exception of the hiring of sites, premises or buildings to which he is a party, made by or with the Bantu Council or urban local authority.

(2) No member shall exact or accept any promises, fee, bribe or reward whatsoever by virtue of his office other than his proper allowances paid to him by the urban local authority.

(3) Any member contravening sub-regulations (1) or (2) of this regulation shall be guilty of an offence and he shall be incapable of holding or continuing in any office under these regulations.

ADDITIONAL DUTIES OF SELECTED MEMBERS.

28. A selected member shall, on behalf of the national unit he represents serve the interest of that unit within the urban Bantu residential area and within the urban area and shall keep the members of the national unit represented by him informed and also advise them regarding matters affecting the general interest of the members of the national unit residing in the urban Bantu residential area and the urban area.

:- PAYMENT ...

PAYMENT OF MEMBERS.

29. (1) Members of the Bantu Council may be paid such allowances as may be determined by the urban local authority.

(2) The allowances shall be computed on a monthly basis and shall be payable monthly: Provided that a member shall subject to this sub-regulation and sub-regulation (3) forfeit 10% (ten per centum) of such allowance in respect of each meeting of the Bantu Council or of a committee thereof which he does not attend during the month for which the allowance is payable, but shall not forfeit any portion of his allowance if his absence from any meeting is due to any cause which the Manager after consultation with the Bantu Council considers to be reasonable.

(3) The Bantu Council may grant a member not more than thirty days leave of absence from office during any year for which the full allowance payable to such member in terms of sub-regulation (1) shall be payable despite his absence. No allowance shall be payable in respect of leave of absence in excess of the said thirty days.

:- CONVENING ...

CONVENING OF MEETINGS.

30. The Bantu Council shall hold at least one meeting per month on a day and at a time to be decided upon by the Bantu Council in consultation with the Manager.

SPECIAL MEETINGS.

31. (1) The Manager upon being satisfied of the necessity of so doing, may call a special meeting of the Bantu Council by giving the members at least 24 hours notice.

(2) No business shall be transacted at any such meeting except such as the meeting may have been specially convened to consider.

NOTICE OF MEETINGS.

32. Save as provided in regulation 31, notice of the time and place of every meeting of the Bantu Council shall be served by the Secretary of the Bantu Council on every member and on the Manager. Such notice shall embody the agenda for that particular meeting, and notice to a member shall be effected either personally or by post at least seventy-two hours before such meeting, and notice to the Manager shall be effected either personally or by leaving the notice at his offices at least 72 hours before such meeting. Lack of proper service of notice of a meeting shall not invalidate any decision taken at any meeting.

QUORUM.

33. Any number of members exceeding one half of the total number of elected members and one half of the total number of selected members shall form a quorum of the Bantu Council.

CASTING VOTE OF CHAIRMAN.

34. In the event of an equality of votes the chairman shall have a casting vote.

COMMITTEES OF THE BANTU COUNCIL.

35. The Bantu Council shall appoint from its membership, so that each member serves on at least one Committee, the following Committees which shall consider and, if necessary make recommendations to the Bantu Council on the matters within their terms of reference as contained in Annexure B:

- (a) Amenities Committee;
- (b) General Purposes and Housing Committee;
- (c) Trading and Transport Committees;
- (d) Educational and Health Committee.

:- PENALTIES. ...

PENALTIES.

36. Any person convicted of a contravention of regulation 11, 14 or 27 shall be liable to the penalties prescribed in section forty-four of the principal Act.

URBAN BANTU COUNCIL OF JOHANNESBURG.

The Returning Officer,

NOMINATION OF CANDIDATE FOR VACANCY ON THE
URBAN BANTU COUNCIL FOR THE
NATIONAL UNIT FOR
WARD(S)

We, the undersigned, members of the
national unit, and registered as voters in ward
No./Nos., hereby nominate
(Name of Candidate)
for election as the representative of the
National unit in Ward/s No./Nos

NAME (to be printed)	I. NO.	ADDRESS	SIGNATURE
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

ACCEPTANCE OF NOMINATION BY CANDIDATE.

I, I. No.
residing at
hereby accept nomination for the vacancy described above on
the Urban Bantu Council of Johannesburg.

DATE: _____

NOMINEE'S SIGNATURE.

TERMS OF REFERENCE OF COMMITTEES.

(a) Amenities Committee.

The provision and maintenance of:

- (i) (a) Parks, open spaces, public gardens, zoological gardens, swimming baths, paddling pools, places and grounds for sports or recreation, children's playgrounds;
- (b) Buildings for indoor recreation, cultural activities and social centres, libraries, museums, art galleries, drama and theatre;
- (ii) The holding of civic functions and entertainments;
- (iii) The allocation of church sites.

(b) General Purposes and Housing Committee:

- (i) Matters connected with the administration of the urban Bantu residential areas;
- (ii) The layout and establishment of townships and hostels;
- (iii) The provision of housing and other accommodation and the rendering of municipal services thereto;

:- (iv) ...

- (iv) The prevention of the development of slums;
- (v) The safeguarding of life and the protection of property against fire;
- (vi) The construction, maintenance and improvement of roads, thoroughfares, bridges, parking bays, bus and taxi ranks, sidewalks;
- (vii) The provision and maintenance of grass, flowers, shrubs and trees on islands, circles in the streets and on sidewalks;
- (viii) The numbering of houses and naming of streets;
- (ix) The supply and distribution of electricity;
- (x) The provision of sewers and drains and stormwater;
- (xi) The supply and distribution of water;
- (xii) ^{not} Matters /within the terms of reference of other committees.

:- (c) ...

(c) Trading and Transport Committee.

- (i) The provision of and allowance of trading sites and of the types of trades which shall be conducted thereon;
- (ii) The establishment and maintenance of produce markets;
- (iii) The prevention and elimination of unauthorized trading;
- (iv) The provision of passenger transport to, from and within the urban Bantu residential areas;
- (v) The control of taxis;
- (vi) The control of traffic and the promotion of safety on the streets;

(d) Educational and Health Committee.

- (i) The provision and maintenance of hospitals, clinics, medical examination centres and domiciliary services provided in connection therewith;
- (ii) The provision of pre-school institutions, lower and higher primary and high schools, adult educational centres and matters incidental thereto;

:- (iii) ...

- (iii) The provision and maintenance of cemeteries and crematoria;
- (iv) The control of draught animals;
- (v) The prevention, elimination and control of nightsoil, slopwater, filth, refuse, scrap vehicles and other matters which may create a nuisance or become a danger to the public health in open spaces and on residential and other sites.

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